

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
PROGRESS POLLUTION REPORT**

**I. HEADING**

**Date:** August 31, 1993

**From:** Kevin Matheis/Jack Harmon, On-Scene-Coordinators,  
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**Subject:** Frontier Chemical Processes, Inc., Niagara Falls,  
Niagara County, NY - Cyanides, Oxidizers, Flam-  
mables, Corrosives, Halogenated and  
Non-Halogenated Solvents

**POLREP NO:** Twelve (12)

**II. BACKGROUND**

<b>SITE/SPILL NO.:</b>	AY
<b>D.O. NO.:</b>	0026-02-036
<b>RESPONSE AUTHORITY:</b>	CERCLA/SARA
<b>NPL STATUS:</b>	Non-NPL
<b>START DATE:</b>	December 22, 1992
<b>APPROVAL STATUS:</b>	Authorization of Funding from Deputy Regional Administrator
<b>STATUS OF ACTION MEMO:</b>	Signed May 17, 1993

### **III. RESPONSE INFORMATION**

#### **A. Situation**

1. See Polrep #1.

#### **B. Actions Taken**

1. ERCS continues maintenance activities at the Site. During the past several weeks, the following tasks were accomplished:
  - The overpacking of 13 leaking drums.
  - Pumping and processing approximately 100,000 gallons of secondary containment water that accumulated from precipitation.
  - Repacked a 30 cubic yard dump trailer of F006 sludge at the site into DOT shippable boxes. This action was performed to return a dump trailer to a transportation company that requested the return of the trailer. This action was recommended by ORC.
  - Repair of a leaking tank that contained 14,000 gallons of a neutralized acid waste containing heavy metals. Prior to repairs, the contents of the tank was pumped into two on-site contingency tanks. The tank was repaired by the ERCS maintenance personnel by flushing out the bottom of the tank and grinding the area around the leak, using fiberglass to seal the tear. When the tank patch dried, the contents were pumped back into the tank.
  - ERCS discharged 100,000 gallons of secondary containment water per the terms and conditions of EPA's POTW permit.

Additionally, ERCS performs routine drum and tank checks, monitors and calibrates the POTW discharge intergrator, repairs broken waterlines, inspects all fire control devices, and other maintenance as needed at the facility.

2. During the last several weeks, the OSCs have processed seven FOIA requests and two congressionals.
3. A PSB representative was on site to assist the OSC in collecting and compiling information for assigning PRPs to wastes in tanks. Frontier Chemical had a tank

maintenance program under which each tank was inspected i.e., thoroughly cleaned and ultrasonically tested every three years. During their waste processing operation, whenever Frontier Chemical had accumulated a full tank of waste for off-site disposal, the tank was pumped into an over-the-road tractor-trailer. However, the discharge pipe was from 2-3 feet above the tank floor and therefore a small percentage of the tank volume remained. Therefore, it can be argued, a fraction of all waste placed into the tank since its last inspection can be considered part of the residual ("molecule rule"). EPA began to identify generators for the tank contents by retrieval and review of several Frontier Chemical forms. From tank inspection forms, inspection dates for each of the tanks are obtained. Drum movement & record forms are retrieved to the date of the last tank inspection. These forms document the process code and destination (e.g., drum storage areas, specific tank numbers for on-site treatment, specific tank numbers for fuel blending, or off-site disposal) of each drum from when it was received reveal work order numbers that were assigned to its shipment. Each work order has at least one generator or as many as nine. The OSC and TAT met with the former computer expert who worked at the Site in order to gain access to computer information regarding the tank PRPs. The tank process/production files were still retrievable and EPA began downloading and printing the information expeditiously.

5. The final negotiated Consent Order has been completed by ORC and was sent to all PRPs on August 19. A two-week turnaround time will be requested for signatures. The PRPs have indicated that they need 80 percent participation (drum totals) to proceed under a Consent Order. ORC will prepare a Unilateral Order for distribution if the PRPs decline to proceed under Consent. All PRPs that have CERCLA regulated hazardous substances will be issued a Unilateral Order if they do not sign the Consent Order. Signatures are due by September 3.

#### C. Future Actions

1. Maintenance of the facility and 24-hour security will continue.
2. The OSCs continue to work on the phase two tank action. Currently the OSC is compiling the last waste-ins and final tank cleanouts to substantiate the PRPs for the tanks.

IV. COST INFORMATION:

	<u>Obligations</u>	ETI Region II Contract Costs As of 8/11/93	Total Remaining
Obligated to DCN#932AKE0004, DCN#932AKE0010, DCN#932AKE0031	\$ 900,000		
Amount Deobligated DCN#932AKE0031	\$ -50,000		
TOTAL	\$ 850,000	\$ 775,000	\$ 75,000
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		ETI Region III Contract costs as of 9/1/93	
Amount Obligated to Present Contract DCN#932AKE0068	\$ 350,000	\$ 154,000	\$ 196,000
EPA/TAT Costs	\$ 632,000	\$ 300,000	\$ 332,000
Site Totals	\$ 1,832,000	\$ 1,229,000	\$ 603,000